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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Letter dated 29 September 2014 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the non-paper "Belarus and human rights: general views and cooperation with United Nations human rights mechanisms from 2012 to 2014" (see annex).

It would be appreciated if you could circulate the present letter and its annex as a document of the General Assembly, under agenda item 68 (c).

(*Signed*) Andrei **Dapkiunas**

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Annex to the letter dated 29 September 2014 from the Permanent Representative of Belarus to the United Nations addressed to the Secretary-General

[Original: Russian]

Belarus and human rights: general views and cooperation with United Nations human rights mechanisms from 2012 to 2014

Belarus has always opposed the politicization of human rights and freedoms, considering that international cooperation on human rights should be based on a comprehensive approach to the human rights situation that takes into account the historical experience, mentality and economic and political characteristics of countries.

The views of Belarus on human rights and the human rights situation in the world today are set out in an article by the Minister for Foreign Affairs of the Republic of Belarus, Vladimir Makei, entitled "Human rights: what and who made them divide the world?".[a]

Civil and political; economic, social and cultural; and individual and societal human rights and freedoms are universal, indivisible, interrelated, interdependent and complementary. Each category of human rights and freedoms should be approached on an equal footing and given the same emphasis.

When the human rights situation of a country is considered, the country's overall situation in the socioeconomic or religious and ethnic spheres is often ignored. The number and frequency of demonstrations and acts of protest are considered as a sign of "freedom" in a society to express views and opinions rather than as an indication of protest movements caused by a worsening of individuals' socioeconomic situation or by violations of their rights in that area. The activities of openly extremist, nationalist, neo-Nazi organizations are seen as an expression of pluralism, but even a single occurrence of an organization with such radical views points to an unhealthy situation in society, while the activity of such parties and organizations violates, for example, the rights of national minorities. The capacity of employers to reach an agreement and compromise with trade union organizations, thereby averting a possible strike, is criticized as an abuse of workers' rights.

There are many such examples of openly distorted views of human rights. Unfortunately, there are just as many manipulative statements in this area. Not one State in the world can boast of not having problems in the area of human rights. The Ministry of Foreign Affairs of the Republic of Belarus has produced a report on this subject which addresses the most prominent cases of human rights violations in certain countries of the world.[b]

International efforts to advance and protect human rights and freedoms must be based on the principles of cooperation, impartiality and mutually respectful dialogue, and they must seek to strengthen the national efforts of the States Members of the United Nations to fulfil their obligations in this area and to provide

[a] Available from http://mfa.gov.by/press/smi/b83045265588b2ad.html.
[b] Available from http://mfa.gov.by/en/publications/reports.

assistance in establishing the fine line between upholding the rights and freedoms of one group and abusing the rights and freedoms of another.

Belarus and the universal periodic review

Belarus underwent the first cycle of the universal periodic review process in May 2010, which led to the acceptance of 74 of 93 recommendations on the promotion of economic, social, civil and political rights and freedoms, and the defence and promotion of the rights of women, children, persons with disabilities, refugees and migrants.

Belarus is continuing its efforts to implement the recommendations and has fully or partially fulfilled over two thirds of them. In February 2012 in a spirit of good will, Belarus submitted an intermediate report on implementation of the recommendations[c] to the Office of the United Nations High Commissioner for Human Rights (OHCHR). Progress on implementation of the recommendations was also noted by the United Nations office in Belarus.

At the initiative of Belarus, with the support and participation of OHCHR and the United Nations/United Nations Development Programme (UNDP) country office in Belarus, a process of national consultations was launched with the participation of representatives of the executive, legislative and judicial powers, academia, civil society organizations and business in preparation for the second cycle of the universal periodic review process for Belarus (spring 2015).

- First round (February 2012): international organizations and civil society participated in a discussion on progress in implementing the recommendations made during the universal periodic review process. A decision was taken regarding preparation of the intermediate report
- Second round (December 2013): OHCHR, international organizations, civil society and international experts participated in a discussion of technical aspects of preparing for the second cycle of the review process and international experience
- Third round (March 2014): OHCHR, international organizations and civil society participated in a discussion of progress in implementing recommendations based on the results of the first cycle of the review process
- Fourth round (November-December 2014): a discussion of the draft national report for the second cycle of the review process is planned.

Belarus and the United Nations treaty bodies

Belarus, as one of the founding States of the United Nations, is a party to most of the international human rights instruments. In compliance with its international obligations in connection with participation in human rights treaties, Belarus regularly submits national periodic reports for consideration by United Nations treaty bodies. Over the period from 2012 to 2014, Belarus submitted:

- The combined fourth, fifth and sixth periodic reports to the Committee on Economic, Social and Cultural Rights (November 2013)

[c] Available from www.ohchr.org/en/hrbodies/upr/pages/uprimplementation.aspx.

- The combined eighteenth and nineteenth periodic reports to the Committee on the Elimination of Racial Discrimination (August 2013).

In 2015 and 2016 Belarus will submit periodic reports to the Human Rights Committee, the Committee on the Elimination of Discrimination against Women and the Committee against Torture.

In addition, in the context of cooperation with United Nations treaty bodies, Belarus prepared and submitted a common core document which forms part of the national periodic reports and describes the general human rights situation in Belarus.

Belarus and the Office of the United Nations High Commissioner for Human Rights

Over the period from April to June 2013, the first technical assistance project in the history of cooperation with OHCHR was implemented. As part of this project, in May 2013 the first seminar on counter-trafficking in a human rights context was held for representatives of the Group of Friends United against Human Trafficking. Representatives of 22 countries took part in the seminar. The seminar was opened by the Under-Secretary-General of the United Nations and Executive Director of the United Nations Office on Drugs and Crime. One of the seminar's outcomes was the adoption of a resolution on holding such events on counter-trafficking in a human rights context on a regular basis.

In June 2013 on the initiative of Belarus and with the cooperation and participation of OHCHR and the United Nations/UNDP office in Belarus, a seminar on the prevention of racial discrimination, xenophobia and related intolerance was held in Minsk for government bodies and civil society.

In 2012 and 2013 at the invitation of OHCHR, representatives of government bodies and civil society took part in three regional events on human rights issues, in the course of which the participants were informed of progress made in the sphere of human rights, including in relation to implementation of the recommendations based on the universal periodic review.

In 2014 Belarus once again invited a number of the special procedures mandate holders of the Human Rights Council to visit Belarus, this time expanding the list of invitees. Belarus is awaiting a response to the invitation.

In June 2014 on the initiative of Belarus and with the cooperation and participation of OHCHR, the UNDP office in Belarus, the European Union and the Council of Europe, an international seminar on the functioning and establishment of national human rights institutions was held. At this event, the concept of an ombudsman institution in Belarus was introduced.

In September 2014 on the initiative of Belarus and with the cooperation and participation of OHCHR and the UNDP office in Belarus, an international seminar on efforts to counter incitement to hatred, xenophobia and related intolerance on the Internet was held, with the participation of the Human Rignts Council Special Rapporteur on minority issues, Rita Izsák.

Belarus is planning to continue its constructive cooperation with OHCHR by holding joint events on implementation of the provisions of international human rights treaties in judicial practice; promotion and defence of the human rights of persons with disabilities; and other issues.